

CASE NUMBER: 15SN0636

APPLICANT: Karl Johnson



**STAFF'S ANALYSIS
AND
RECOMMENDATION**

Board of Supervisors (BOS)

Public Hearing Date:

SEPTEMBER 16, 2015

BOS Time Remaining:

365 DAYS

Applicant's Contact:

KARL JOHNSON

(804-691-2918)

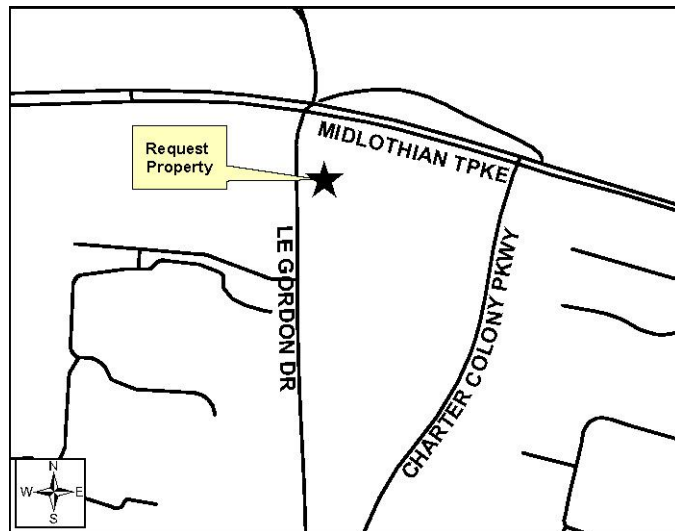
Planning Department Case Manager:

RYAN RAMSEY (804-768-7592)

CHESTERFIELD COUNTY, VIRGINIA

Magisterial District: **MIDLOTHIAN**

151 Le Gordon Drive



APPLICANT'S REQUEST

Rezoning from Community Business (C-3) and Residential (R-7) to Community Business (C-3) plus conditional use planned development to permit exceptions to setbacks and parking requirements.

A shopping center with retail uses and a fast food restaurant is planned.

Notes:

- A. Conditions may be imposed or the property owner may proffer conditions.
- B. Proffered conditions, Textual Statement, conceptual layout and concept elevations are located in Attachments 1-5.

RECOMMENDATION

PLANNING
COMMISSION
(8/18/2015)

RECOMMEND APPROVAL

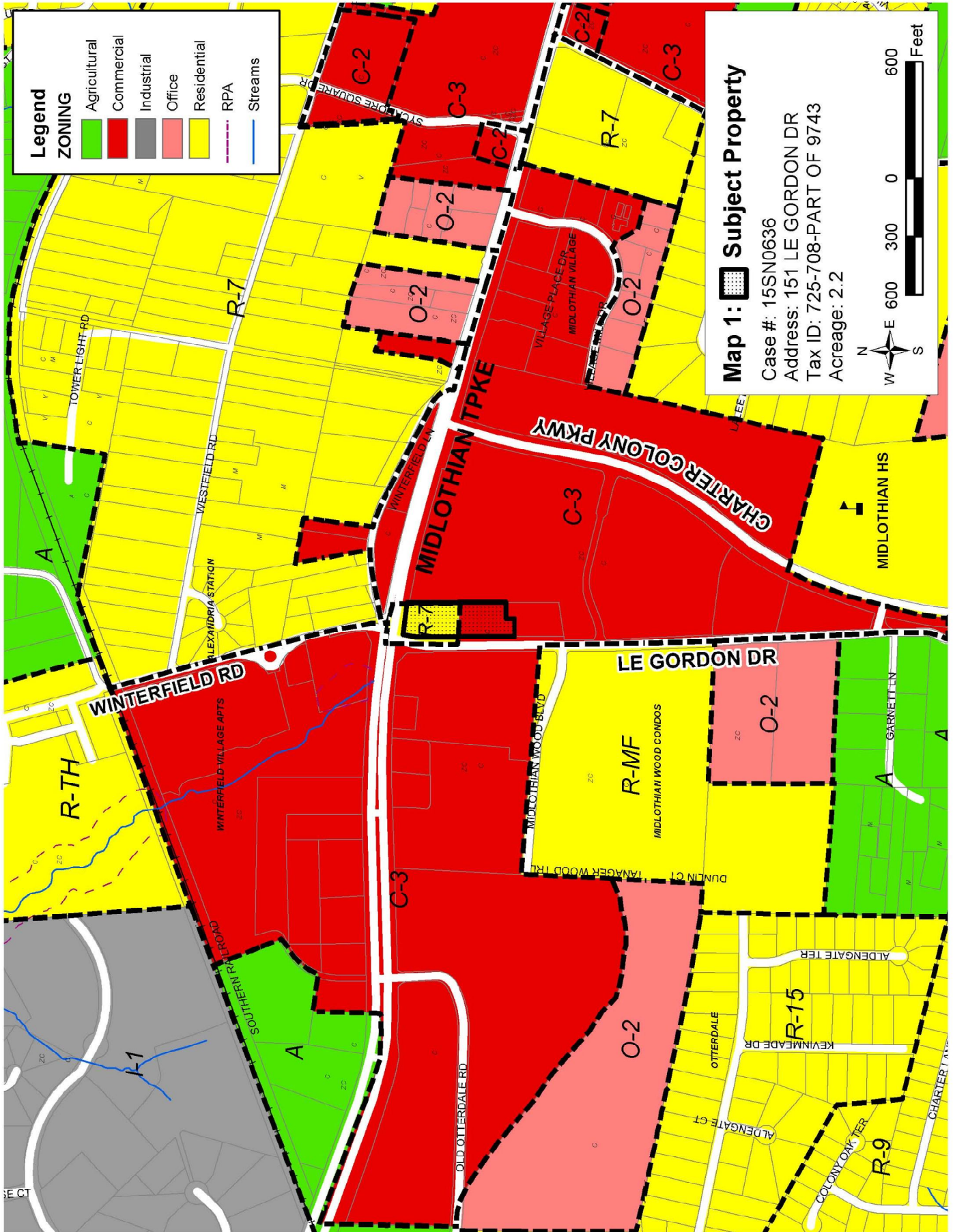
- Proposed development and uses are compatible with existing and anticipated area development

STAFF

RECOMMEND APPROVAL

- As proffered, uses consistent with Plan
- Proposed development would be compatible with area office and commercial development

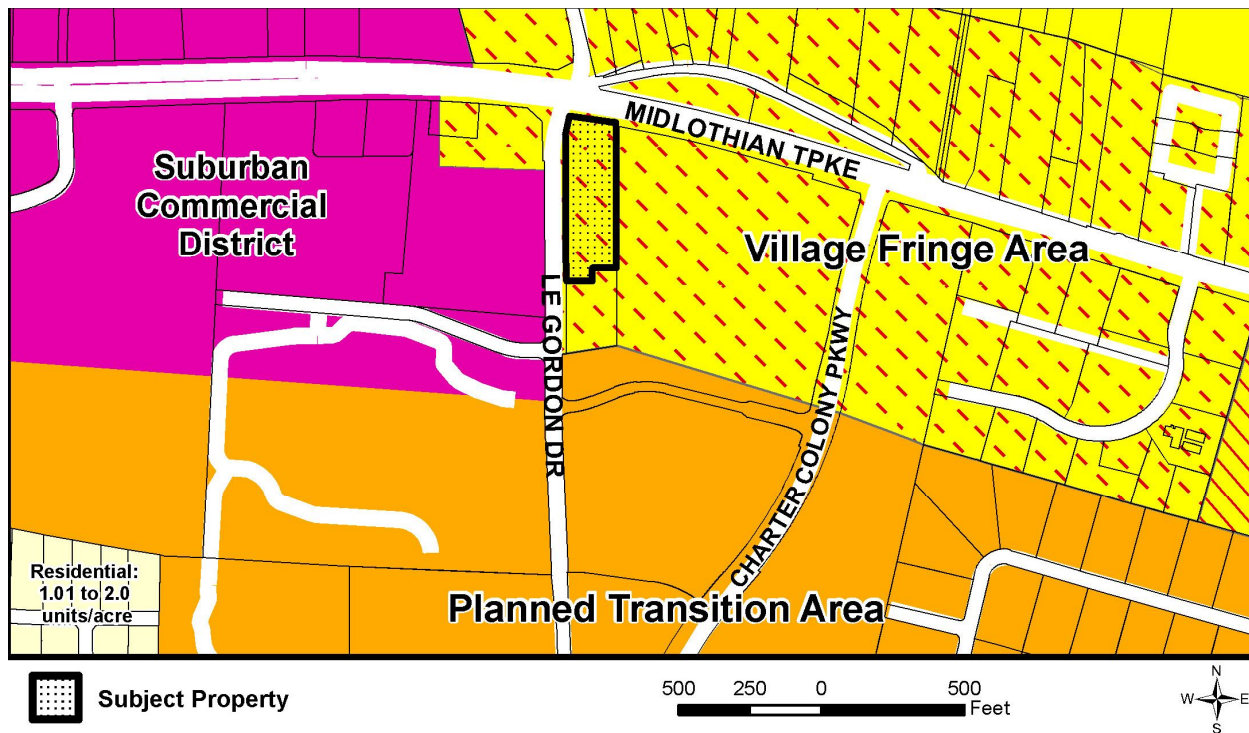
SUMMARY OF IDENTIFIED ISSUES	
Department	Issue
PLANNING	-
FIRE	-
CDOT	-
VDOT	-
UTILITIES	-
ENVIRONMENTAL ENGINEERING	-



Map 2: Comprehensive Plan (The Midlothian Area Community Plan)

Classification: **VILLAGE FRINGE AREA**

The designation suggests the property is appropriate for mixed use development compatible with surrounding neighborhoods and including primarily office, multi-unit housing, community facilities and personal services.



Map 3: Surrounding Land Uses & Development



PLANNING

Staff Contact: Ryan Ramsey (804-768-7592) ramseyrp@chesterfield.gov

ZONING HISTORY

Case Number	BOS Action	Request
02SN0187	Approved (04/24/2002)	Rezoning from R-7 to C-3 of 2.1 acres to permit a contractor's office and display room as well as Corporate Office (O-2) uses.

PROPOSAL

A shopping center, which would permit limited Community Business (C-3) uses and a fast food restaurant, is planned. Exceptions to setback and parking requirements are requested to permit buildings, drives and parking areas closer to rights-of-way with parking generally behind buildings along Le Gordon Drive. The applicant has proffered architectural and design elements that will result in a village-style, high-quality, pedestrian-oriented commercial development that is integrated into nearby existing developments and the larger Midlothian Village and adjacent Charter Colony community.

The following chart outlines the exceptions requested and development standards for the project:

General Overview			
Requirements	Details		
Master Plan	Textual Statement outlines setback and parking exceptions <i>Proffered Condition 1</i>		
Uses	<ul style="list-style-type: none"> Limited Community Business (C-3) uses permitted A fast food restaurant within 200' of Midlothian Turnpike More intense and auto-oriented uses prohibited <i>Proffered Condition 2</i>		
Hours of Operation	Open between 5 a.m. and midnight <i>Proffered Condition 4</i>		
Dumpster Service	Prohibited between 7 p.m. and 7 a.m. <i>Proffered Condition 12</i>		
Setbacks	Property Line	Required	Requested
	Midlothian Turnpike – Buildings, Parking & Drive Aisles	50'	5'
	Le Gordon Drive - Buildings	25'	10'
	Le Gordon Drive – Parking & Drive Aisles	25'	5' (within 200' of Midlothian Turnpike) or 10' (Elsewhere)

Setbacks (Continued)	Side Property Line– Buildings, Parking & Drive Aisles	30', or 10' with enhanced landscaping	5'
	Rear Property Line – Buildings, Parking & Drive Aisles	40', or 20' with enhanced landscaping	5'
	<i>Textual Statement, Item 1</i>		
Parking Spaces	Reduced from 4.4 spaces to 4.0 spaces per 1000 square feet of building area. <i>Textual Statement, Item 2</i>		
Architecture	Generally similar to the design shown on Attachment 5 (Exhibit B): <ul style="list-style-type: none"> • Equal four-sided architecture and vertical architectural façade features • Architecturally enhanced entrances • Building facades that create multiple, traditional storefronts <i>Proffered Conditions 7 & 8</i>		
Drive-in Window	<ul style="list-style-type: none"> • Minimized view of a drive-in window that is oriented away from Midlothian Turnpike • Screened by way of building design or durable architectural walls comparable to the principle building <i>Proffered Condition 7</i>		
Building & Roof Materials	<ul style="list-style-type: none"> • Specified exterior and roof materials: <ul style="list-style-type: none"> • Brick; Hardieplank • 30-year dimensional shingles • Slate shingles • Standing seam metal • Neutral/earth-toned building materials color palette <i>Proffered Condition 7</i>		
Landscaping	<ul style="list-style-type: none"> • Various landscape treatments required within setbacks, dependent upon yard • Street trees along Midlothian Turnpike & Le Gordon Drive <i>Textual Statement, Item 1</i>		
External Lighting	<ul style="list-style-type: none"> • Compatible building mounted lighting • Pedestrian scale lighting adjacent to Midlothian Turnpike & Le Gordon Drive • Consistent with Midlothian Village Guidelines • Internal site lighting that is consistent with pedestrian scale of development • Parking lot lighting limited to 20' and be ornamental <i>Proffered Conditions 10 & 11</i>		
Internal Sidewalks	<ul style="list-style-type: none"> • 5' walkways that connect to sidewalks along Midlothian Turnpike & Le Gordon Drive and the internal properties to the south and east • Incorporate internal crosswalks, pedestrian style lighting along walkways, benches and landscaped areas <i>Proffered Condition 9</i>		

PUBLIC FACILITIES

FIRE SERVICE

Staff Contact: Greg Smith (804-706-2012) smithgd@chesterfield.gov

Nearby Fire and Emergency Medical Service (EMS) Facilities

Fire Station	The Midlothian Fire Station, Company Number 5
EMS Facility	The Forest View Volunteer Rescue Squad

When the property is developed, the number of hydrants, quantity of water needed for fire protection, and access requirements will be evaluated during the plans review process.

COUNTY DEPARTMENT OF TRANSPORTATION

Staff Contact: Jim Banks (804-748-1037) banksj@chesterfield.gov

The Comprehensive Plan, which includes the Thoroughfare Plan, identifies county-wide transportation needs that are expected to mitigate traffic impacts of future growth. The anticipated traffic impact of the proposal has been evaluated and recommendations are detailed in the chart below:

Recommendation	Applicant's Proposal
Vehicular Access Control <ul style="list-style-type: none"> No direct access onto Route 60. One (1) access onto Le Gordon Drive. 	Offered as Recommended. <i>Proffered Condition 6</i>
Road Improvements <ul style="list-style-type: none"> Additional lane of pavement along Le Gordon Drive for the property frontage. Sidewalks along Le Gordon Drive and Route 60 for property frontage. Traffic signal modification at the Le Gordon Drive/Winterfield Road/Route 60 intersection. 	Offered as Recommended. <i>Proffered Condition 5</i>

VIRGINIA DEPARTMENT OF TRANSPORTATIONStaff Contact: Brian Lokker (804-674-2384) brian.lokker@vdot.virginia.gov**VDOT Land Use Regulations**

Traffic Impact Analysis (24VAC30-155)	-
Access Management (24VAC30-73)	The placement of an access along LeGordon Drive is subject to compliance with Access Management spacing standards between existing access points. Adequate frontage (435') is available to meet the requirements. However, the proximity of an access to the existing signalized intersection/turn lane may pose conflicts. VDOT will coordinate with the applicant and CDOT through the site plan review process to determine the best location.
Subdivision Street Acceptance (24VAC30-91/92)	-
Land Use Permit (24VAC30-151)	-
Summary	-

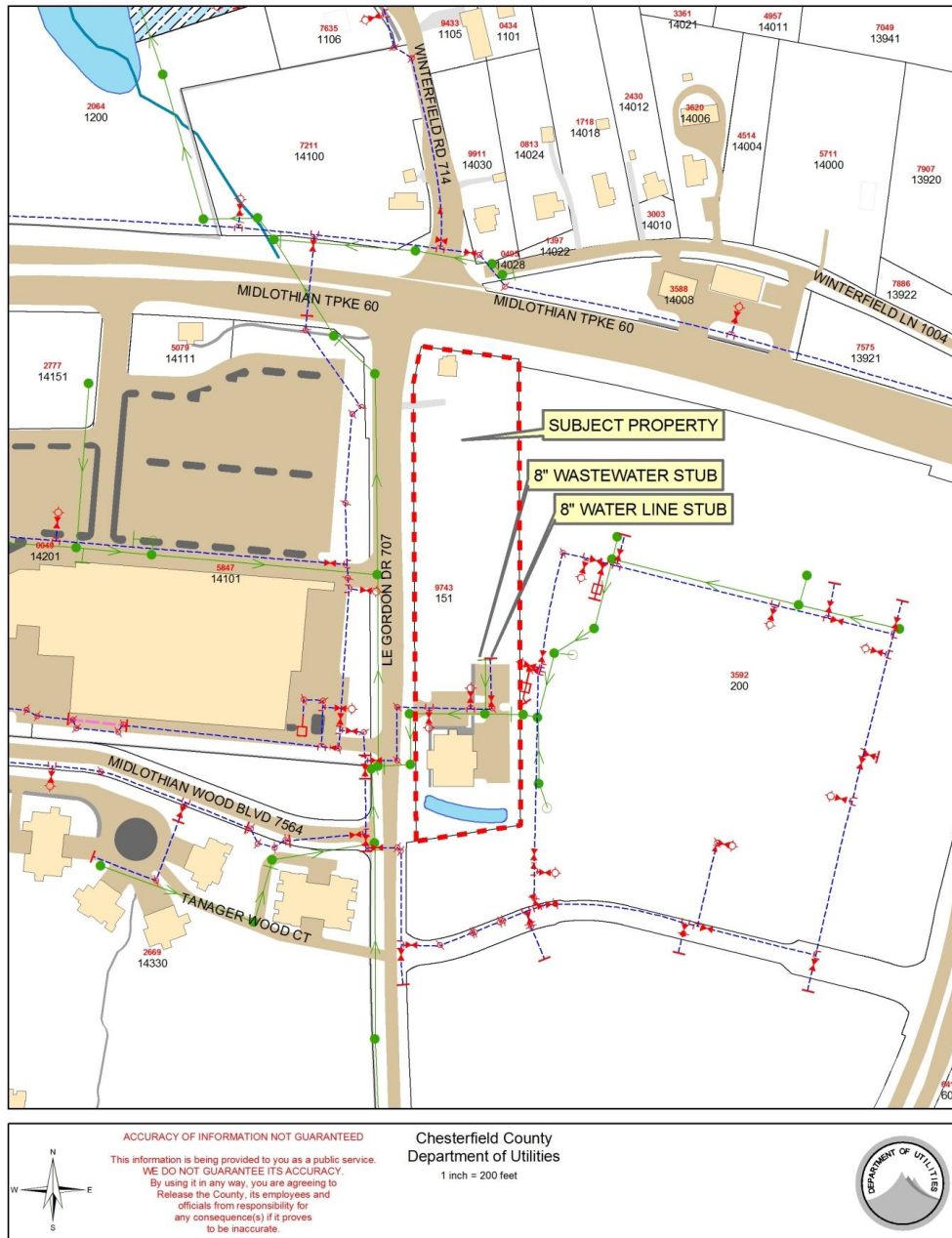
WATER AND WASTEWATER SYSTEMS

Staff Contact: Jamie Bland (804-751-4439) blandj@chesterfield.gov

The proposal's impacts on the County's utility system are detailed in the chart below:

Water and Wastewater Systems			
	Currently Serviced?	Size of Existing Line	Connection Required by County Code?
Water	No	8"	Yes
Wastewater	No	8"	Yes

Map 5: Existing Water & Wastewater Systems



ENVIRONMENTAL

Drainage, Erosion and Water Quality

Staff Contact: Doug Pritchard (804-748-1028) pritchardd@chesterfield.gov

Stormwater	
Issue	Discussion/Conditions
Geography	<ul style="list-style-type: none">• Michaux Creek Watershed• Drains into Powhatan County before reaching the James River
Stormwater Management	<ul style="list-style-type: none">• Drainage limitations for:<ul style="list-style-type: none">• Le Gordon Drive• The Ivymont Shopping Center to the west• Culvert under Midlothian Turnpike• Significant onsite detention was employed on the development of the Martins Grocery site to the east in order to address these limitations.• The storm drainage design for the subject property should be consistent with that which was designed into the Martins project. <p><i>Proffered Condition 2</i></p>

CASE HISTORY	
Applicant Submittals	
3/10/15	Application submitted
7/24/15	Proffers, textual statement, conceptual elevations and a conceptual site plan were submitted
Community Meetings	
4/13/15	Issues Discussed <ul style="list-style-type: none"> • The District Commissioner, applicant and staff attended this meeting at the Midlothian Library • Neighbors and citizens attended the meeting, asking questions relative to: proposed uses, architecture, location of sidewalks, type of landscaping to be installed, streetscape lighting, access and additional traffic impact to Le Gordon Drive, orientation of buildings and prospective tenants for the buildings
5/11/15	Issues Discussed <ul style="list-style-type: none"> • The District Commissioner, applicant and staff attended this meeting at the Midlothian Library • One citizen attended this meeting. The conceptual architecture and proposed site layout remained unchanged from the previous community meeting. No questions or opposition to the request were expressed.
Planning Commission Meetings	
6/16/15	Citizen Comments No citizens spoke to this case. Commission Discussion The applicant and Midlothian District Commissioner noted their desire to defer this case to allow time for the applicant to meet with Village of Midlothian Volunteer Coalition to review the conceptual architecture and proposed site layout. Action - DEFERRED TO AUGUST 18, 2015

Planning Commission Meetings (Continued)	
8/18/15	<p>Citizen Comments</p> <p>Two citizens expressed concerns, noting possible traffic congestion on Le Gordon Drive, community meeting notification and reduced setbacks for the development.</p> <p>Commission Discussion</p> <p>The Commission noted their support for this case:</p> <ul style="list-style-type: none"> • Road improvements associated with the applicant's request and anticipated area development would address traffic impacts • Concept plan and elevations reviewed by the Village of Midlothian Volunteer Coalition, which supported reduced setbacks to encourage a village development design • Request is compatible with existing and anticipated future developments at the intersection of Route 60 and Le Gordon Drive <p>Recommendation – APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS IN ATTACHMENT 1</p> <p>Motion: Waller Second: Brown AYES: Gulley, Waller, Brown, Patton and Wallin</p>
The Board of Supervisors on Wednesday, September 16, 2015, beginning at 6:30 p.m., will consider this request.	

PROFFERED CONDITIONS

Note:

"STAFF/CPC" – Recommended by both staff and Planning Commission

- (STAFF/CPC) 1. Master Plan: The Textual Statement last revised July 24, 2015 shall be considered the Master Plan. (P)
- (STAFF/CPC) 2. Stormwater Management: Development shall be designed to store a 10 year post development storm and release at a 10-year pre-development storm. (EE)
- (STAFF/CPC) 3. Uses:
- a. Permitted uses shall be uses permitted by right, or with restrictions, in the Community Business (C-3) District except for the uses listed below, which shall be prohibited:
 - i. Alternative Financial Institutions
 - ii. Cocktail Lounges or Nightclubs
 - iii. Coin Laundry
 - iv. Commercial Kennels
 - v. Communication towers
 - vi. Fraternal Uses
 - vii. Feed, seed and ice sales
 - viii. Funeral Home or Mortuary
 - ix. Gasoline Sales
 - x. Halfway Houses
 - xi. Home Centers
 - xii. Hospitals
 - xiii. Hotels
 - xiv. Indoor or Outdoor Flea Markets
 - xv. Material reclamation and recycling centers
 - xvi. Motor Vehicle Sales, Repair, Service and Rental, including Motor Vehicle Consignment lots
 - xvii. Motor Vehicle Wash
 - xviii. Outside Public Address systems
 - xix. Park and ride lots
 - xx. Tattoo Parlors
 - xxi. Taxidermies
 - xxii. Theaters, including drive-in
 - xxiii. Veterinary Hospital with outside runs.

- b. A maximum of one (1) restaurant, with a drive-in window, shall be permitted on the property. The restaurant with a drive-in window shall be located within 200 feet of Midlothian Turnpike. (P)
- (STAFF/CPC) 4. Hours of Operation: Hours of operation shall be limited to between the hours of 5:00 a.m. and midnight. (P)
- (STAFF/CPC) 5. Road Improvements: Prior to issuance of an occupancy permit, the following road improvements shall be provided. The exact design and length of these improvements shall be approved by the Transportation Department:
 - a. Construction of an additional lane of pavement along Le Gordon Drive for the entire property frontage.
 - b. Full cost of traffic signal modification at the Le Gordon Drive/Winterfield Road/Route 60 intersection.
 - c. Construction of a sidewalk along the south side of Route 60 and along the east side of Le Gordon Drive for the entire property frontage.
 - d. Dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvements identified above. (T)
- (STAFF/CPC) 6. Access: No direct vehicular access shall be provided from the property to Midlothian Turnpike (Route 60). Direct vehicular access from the property to Le Gordon Drive shall be limited to one (1) entrance/exit. The exact location of this access shall be approved by the Transportation Department. (T)
- (STAFF/CPC) 7. Architectural Treatment: Unless deviations are approved by the Planning Commission during site plan review, the architectural treatment of the buildings shall be compatible and consistent with Exhibit B, which is composed of two documents entitled 1) Le Gordon Drive Retail Building, prepared by Douglas Bollinger & Associates, Inc., and dated July 17, 2015 and last revised on July 22, 2015 and 2) Le Gordon Drive Restaurant, prepared by Douglas Bollinger & Associates, Inc., and dated July 17, 2015 and last revised on July 21, 2015. The following shall also be required:
 - a. Buildings shall incorporate equal four sided architecture such that no building exterior (whether front, side or rear) shall consist of inferior materials or be inferior in quality, appearance or detail to any other exterior of the same building.
 - b. Vertical architectural façade features shall be continued a minimum of ten (10) feet in depth from the building facade.

- c. Each entrance shall be accentuated with architectural features to include, but not limited to, structured overhangs and/or awnings.
- d. All building mounted lighting shall be compatible with the overall architectural style.
- e. The color palette shall be limited to neutral and earth-toned colors, unless otherwise approved by the Planning Department at the time of plans review.
- f. Drive-in windows shall be screened to reduce visibility of the drive-in windows from public streets. This screening shall be accomplished by building design, the use of durable architectural walls constructed of materials and with a design comparable to the principle building. Such screening shall be approved by the Planning Department in conjunction with plan approval.
- g. Building facades shall be designed such as to create the appearance of multiple, traditional storefronts. Facades facing Le Gordon Drive and Midlothian Turnpike shall incorporate storefront windows, and other architectural treatments, and landscaping in order to provide relief to such facades.
- h. Building materials for the wall façade shall be limited to brick, cementitious siding or any other high-quality building material, as approved by the Planning Department. Metal panels, metal or vinyl siding, and EIFS shall be prohibited. The roof shall be composed of 30-year dimensional shingles, slate shingles and/or standing seam metal.

(STAFF/CPC) 8. Site Layout: The site shall be designed as generally depicted on Exhibit A, as prepared by Townes Site Engineering, titled "151 Le Gordon Drive, Conceptual Layout" and dated July 23, 2015, however, the exact location of the buildings and parking may be modified, as approved by the Planning Department, provided the general intent of the plan is maintained with respect to buildings "fronting" Le Gordon Drive, with no parking or driveways between the buildings and the roads. This shall not preclude parking or drive aisles to be located between the corner building and Le Gordon Drive. (P)

(STAFF/CPC) 9. Internal Sidewalks: The project shall incorporate an internal system of five (5) feet wide sidewalks, which shall provide internal pedestrian access between uses, and shall connect to the sidewalks along Le Gordon Drive and Midlothian Turnpike, as well as to the adjacent properties to the south and east. These pedestrian areas/walks shall:

- a. Internal crosswalks shall be constructed of stamped concrete or other decorative paving units. All other pedestrian areas/walks may be concrete.
- b. Include pedestrian style lights, and
- c. Incorporate benches, landscaped areas and other pedestrian elements.

The exact design shall be approved by the Planning Department at the time of site plan review. (P)

- (STAFF/CPC) 10. External Lighting: Lighting along the perimeter of the development adjacent to Le Gordon Drive and Midlothian Turnpike shall be of a pedestrian scale. Light fixtures shall be installed with a design consistent with the Midlothian Village Guidelines and spaced as may be approved by the Planning Department at time of site plan review. The project shall also have an internal system of outdoor lighting consistent with the pedestrian scale of the development, as approved by the Planning Department at time of site plan review. (P)
- (STAFF/CPC) 11. Parking Lot Lighting: Parking lot lighting shall be shall be limited to a maximum of 20 feet in height. All light poles and fixtures shall be ornamental and shall be approved by the Planning Department at the time of site plan review. (P)
- (STAFF/CPC) 12. Dumpster Service: Dumpster service shall not be allowed between 7:00 p.m. and 7:00 a.m. (P)

TEXTUAL STATEMENT

April 10, 2015

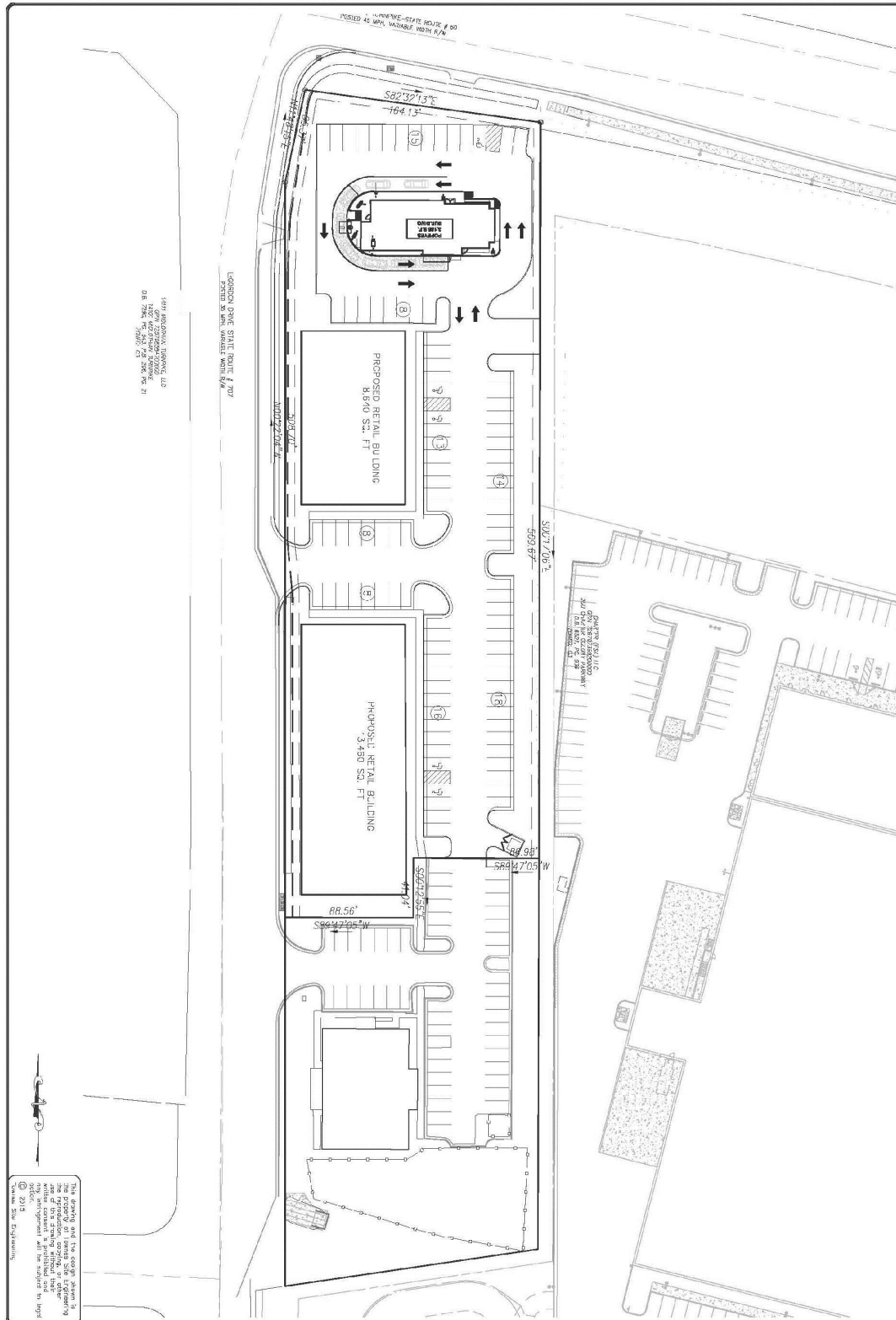
Last Revised July 24, 2015

Rezone from Residential (R-7) and Community Business (C-3) to Community Business (C-3) with Conditional Use Planned Development (CUPD) to permit exceptions to Ordinance requirements as described herein and as provided in the accompanying proffered conditions.

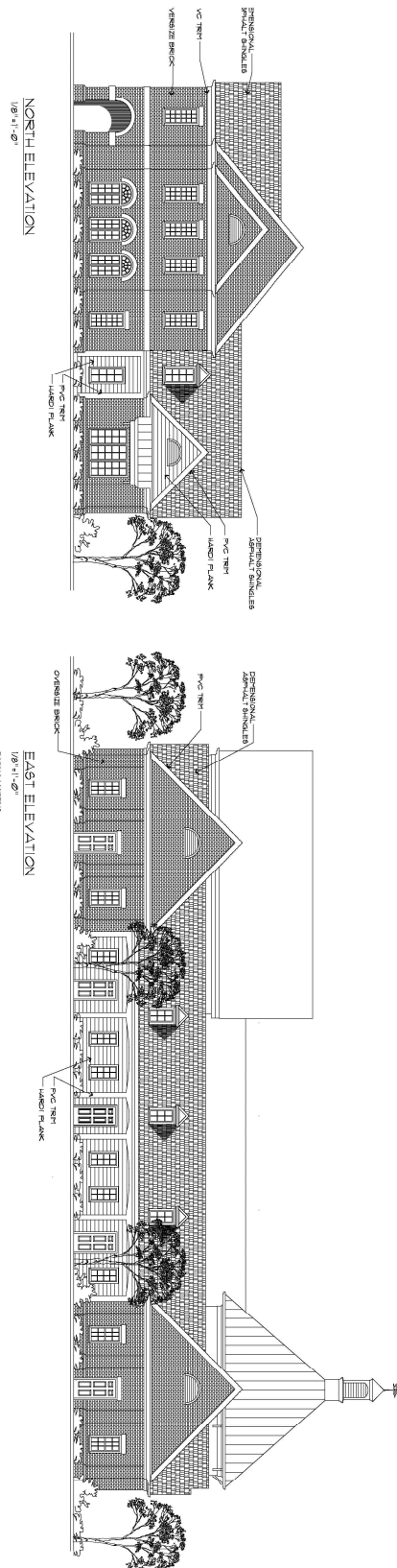
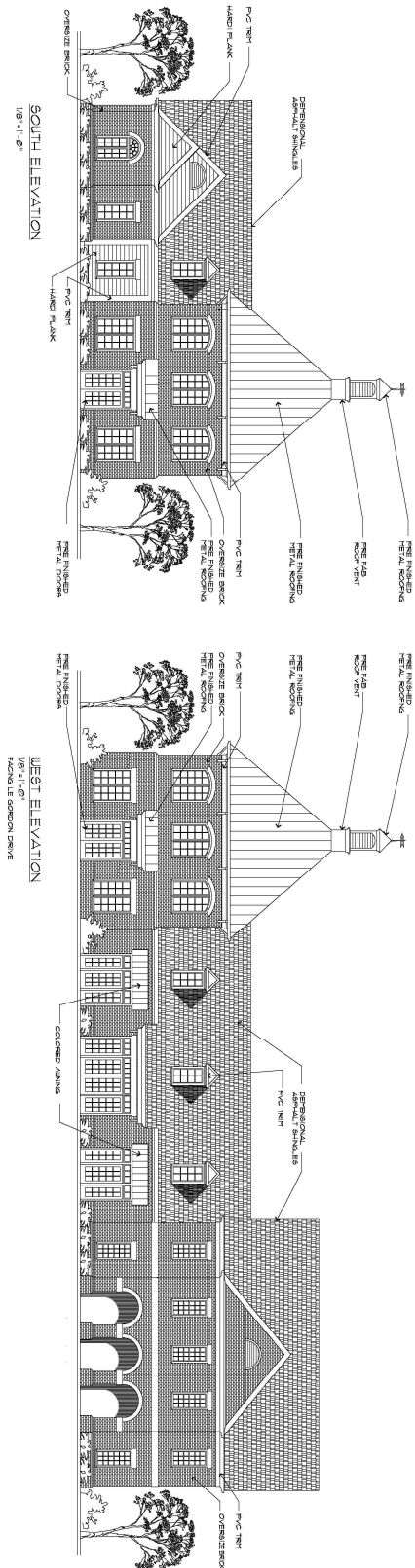
The request contains two (2) exhibits: Exhibit A – Conceptual Site Layout and Exhibit B – Conceptual Elevation Drawings.

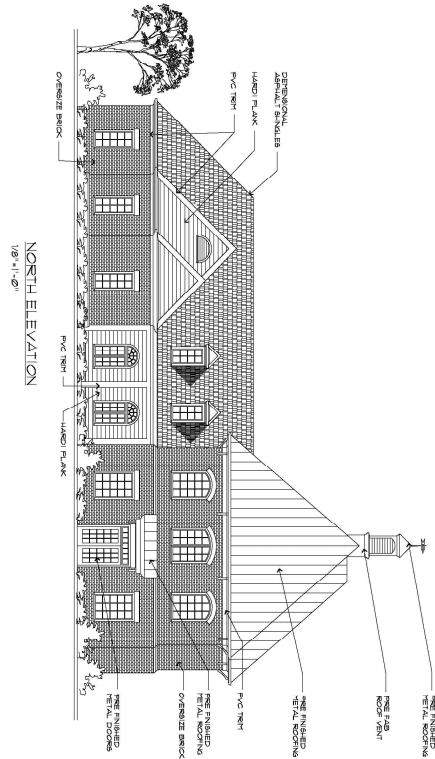
1. Setbacks: Except as necessary to install required landscaping, street trees, lighting and sidewalks, minimum setbacks shall be as follows:
 - a. Five (5) foot building, drive aisle and parking area setback adjacent to the southern and eastern property lines, with the installation of Perimeter Landscape B.
 - b. Ten (10) foot building setback adjacent to Le Gordon Drive, with the installation of Perimeter Landscape D and large deciduous street trees, planted forty (40) feet on center.
 - c. Five (5) foot parking and drive aisle setback adjacent to Le Gordon Drive, with the installation of Perimeter Landscape D and large deciduous street trees, planted forty (40) feet on center. This setback shall be permitted within 200 feet of Midlothian Turnpike. Elsewhere, the minimum setback for drive aisle and parking areas adjacent to Le Gordon Drive shall be ten (10) feet.
 - d. Five (5) foot building, drive aisle and parking area setback adjacent to Midlothian Turnpike, with the installation of Perimeter Landscape D and large deciduous street trees, planted forty (40) feet on center.
2. Parking: Parking space requirements shall be reduced to 4.0 spaces per 1000 square feet of building area.

CONCEPTUAL SITE LAYOUT - EXHIBIT A

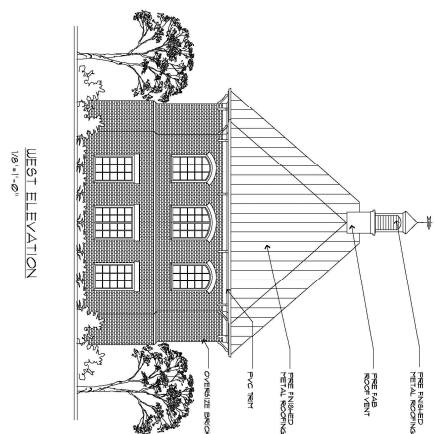


151 LE GORDON DRIVE		DRAFT	 Townes SITE ENGINEERING 8850 Lark Road, Suite 201 Chesterfield, Virginia 23832 Phone: (804) 748-9011 Fax: (804) 748-2590
MIDLOTHIAN DISTRICT CHESTERFIELD COUNTY, VIRGINIA			
CONCEPTUAL LAYOUT			

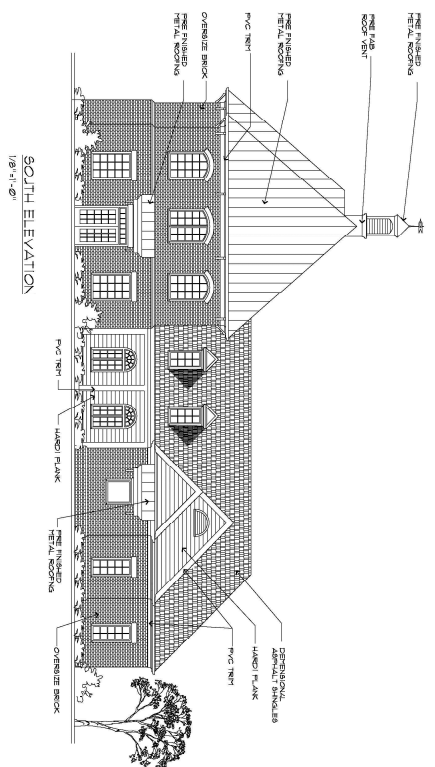




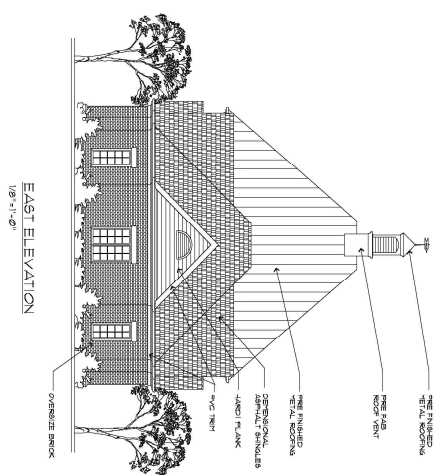
NORTH ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"



SOUTH ELEVATION
1/8" = 1'-0"



EAST ELEVATION
1/8" = 1'-0"

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LE GORDON DRIVE RESTAURANT TUCULUTLAN, WISCONSIN		DRAWING 11-01